



Driving progress  
through partnership

**Nicole Lapsatis Lech**

Direct Phone: +1 212 549 0439  
Email: [nlech@reedsSmith.com](mailto:nlech@reedsSmith.com)

Reed Smith LLP  
599 Lexington Avenue  
New York, NY 10022-7650  
+1 212 521 5400  
Fax +1 212 521 5450  
[reedsSmith.com](http://reedsSmith.com)

December 3, 2020

**VIA ECF**

Honorable Judge Vernon S. Broderick  
United States District Court Judge  
40 Foley Square, Room 415  
New York, NY 10007

APPLICATION GRANTED  
SO ORDERED   
VERNON S. BRODERICK  
U.S.D.J. 12/9/2020

The deadline to complete discovery is adjourned until January 15, 2021. The post-discovery conference previously scheduled for December 17, 2020 is adjourned until January 21, 2021 at 2:00 pm.

**Re: *Forte v. The City of New York, et al.*, Case No. 1:16-cv-00560-VSB (S.D.N.Y)**

Dear Judge Broderick:

We represent Plaintiff Daniel Forte as limited pro bono counsel in the above-referenced matter pursuant to Your Honor's Order dated November 30, 2018. (ECF No. 124) Pursuant to Rule I.G. of Your Honor's Individual Rules & Practice in Civil Cases, we write on behalf of all parties to respectfully request an extension of the deadline to complete fact discovery from December 15, 2020, to January 15, 2021, and an adjournment of the status conference scheduled for December 17, 2020.

The parties previously requested and Your Honor granted extensions of the deadline to complete fact discovery in February, March, April, July, and October 2020. (See ECF Nos. 156, 163, 165, 170, and 172). The previous requests for extension were made in light of safety concerns arising from the COVID-19 pandemic, as well as the need for additional time to depose certain third-parties regarding previously unknown facts that were elicited during the depositions of the defendants. The parties had hoped that the most recent extension would provide sufficient time for the parties to conduct all outstanding depositions by videoconference. Plaintiff made diligent efforts to timely serve deposition subpoenas; however, due to scheduling conflicts, the parties were unable to schedule all of the remaining depositions for before December 15. In particular, the parties have agreed, subject to Your Honor granting an extension, that the deposition of Samuel David will take place on December 16, 2020 and the deposition of Steven Nieves will take place on December 17, 2020.

In order to allow for these depositions to take place on the above-mentioned dates that are convenient for the deponents and counsel for the parties in this action (and a potential deposition of one additional that we have not yet been able to locate and serve), we respectfully request a further extension of the deadline to complete fact discovery to January 15, 2021 and an adjournment of the status conference scheduled for December 17, 2020 to a convenient date and time in January 2021. Counsel for the New York City Defendants and White Plain Defendants have informed us that they consent to this extension.

We thank the Court for its attention to this matter.

December 3, 2020

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Respectfully submitted,

*/s/ Nicole Lapsatis Lech*  
Nicole Lapsatis Lech

cc: By ECF  
Counsel of Record